

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

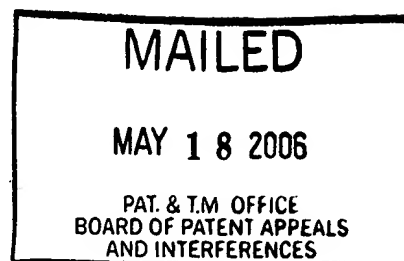
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN CHRISTOPHER CRANDALL

Appeal No. 2006-1001
Application 09/834,338

ON BRIEF



Before JERRY SMITH, RUGGIERO, and BARRY, Administrative Patent Judges.

JERRY SMITH, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on the appeal under 35 U.S.C. § 134 from the examiner's rejection of claims 1-20, which constitute all the claims in the application.

The disclosed invention pertains to a cultural specific user interface for use on a computer system.

Representative claim 1 is reproduced as follows:

1. A cultural interface protocol application for use on a computer system comprising:

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a user profile stored in a memory of said computer system for defining cultural attributes;

a protocol interface for interfacing with a client application; and

an algorithm for determining ones of said cultural attributes to communicate to said client application, wherein said client application is configured according to said determined ones of said cultural attributes.

The examiner relies on the following reference:

Miller et al. (Miller)	5,835,768	Nov. 10, 1998
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Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the disclosure of Miller.

Rather than repeat the arguments of appellant or the examiner, we make reference to the briefs and the answer for the respective details thereof.

OPINION

We have carefully considered the subject matter on appeal, the rejection advanced by the examiner and the evidence of anticipation relied upon by the examiner as support for the rejection. We have, likewise, reviewed and taken into consideration, in reaching our decision, the appellant's arguments set forth in the briefs along with the examiner's rationale in support of the rejection and arguments in rebuttal set forth in the examiner's answer.

It is our view, after consideration of the record before us, that the disclosure of Miller does fully meet the invention as set forth in claims 1-20. Accordingly, we affirm.

Anticipation is established only when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of a claimed invention as well as disclosing structure which is capable of performing the recited functional limitations. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir.); cert. dismissed, 468 U.S. 1228 (1984); W.L. Gore and Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

The examiner has indicated how the claimed invention is deemed to be fully met by the disclosure of Miller [final rejection, pages 6-13; incorporated into answer at page 3]. With respect to claims 1-10, which are argued as a single group, appellant argues that Miller does not teach an algorithm for determining which cultural attributes to communicate to the client application, at least, because all of Miller's cultural attributes are made accessible to Miller's application program [brief, pages 5-6]. The examiner responds that the "locale categories" and "set locale" of Miller meet the argued feature [answer, pages 3-4]. Appellant responds that Miller does not

teach or suggest that an algorithm is used to determine which of the locale categories that make up the locale is to be communicated to the application. Appellant asserts that Miller teaches that the application attributes can only be changed if the exact name of the user's specified locale is selected for installation. Appellant argues that the cultural attributes in Miller are already set into the application and the application only needs to determine the values of those cultural attributes to format the data accordingly [reply brief, pages 3-5].

We will sustain the examiner's anticipation rejection of claims 1-10. Although appellant argues that Miller fails to disclose an algorithm as recited in claim 1, appellant never explains why the processing performed by Miller does not constitute an algorithm. The examiner reads the claimed algorithm on column 6, lines 52-60 of Miller. This portion of Miller discloses that when data is to be presented to the user or processed, the relevant locale category is determined and formatting rules specified in the locale category object are applied and communicated to the client application. We find that this operation meets the broadest reasonable interpretation of the algorithm of claim 1. We have considered appellant's arguments regarding the manner in which Miller operates, but none

of these arguments convinces us that Miller fails to disclose the algorithm as broadly recited in claim 1.

With respect to claims 11-15, which are argued as a single group, appellant argues that Miller fails to teach analyzing available GUI parameters of a client application. Appellant also argues that Miller fails to teach communicating selected ethnicity objects to the client application [brief, pages 6-8]. Although appellant asserts that the examiner did not respond to appellant's arguments with respect to these claims, the examiner, in fact, responds that the broadest reasonable interpretation of the analyzing step only requires deciding what GUI parameters are available or are variable in the respect that the parameters are formatted according to the cultural attributes and are presented to a user on a display. The examiner also responds that the communicating step is met by the "set locale" feature of Miller [answer, pages 5-6].

We will sustain the examiner's anticipation rejection of claims 11-15. The examiner reads the claimed analyzing available GUI parameters of said client application on the user's ability in Miller to establish or change the locale information. In other words, the available GUI parameters in Miller are LC_COLLATE, LC_CTYPE, LC_MONETARY, LC_NUMERIC, LC_TIME and LC_MESSAGES. The examiner notes that Miller teaches that these

parameters can be edited by the user to establish cultural preferences within the application program. These selections by the user are then communicated to the application program to be used when presenting information to the user or when processing information. The examiner's explanation at page 5 of the answer as to why this operation of Miller meets the claimed invention is clear and logical. Appellant has not presented any arguments pointing out the supposed errors in the examiner's position. As noted above, appellant asserts that the examiner did not respond to appellant's arguments with respect to these claims, but such assertion is clearly erroneous.

With respect to claims 16-19, which are argued as a single group, and claim 20, which is argued separately, appellant makes the same arguments that were made with respect to claims 11-15 [brief, pages 8-9]. Although appellant asserts that the examiner did not respond to appellant's arguments with respect to these claims, the examiner, in fact, responds with the same arguments noted above with respect to claims 11-15 [answer, pages 6-7].

We will sustain the examiner's anticipation rejection of claims 16-20. Since the arguments with respect to these claims have been discussed above, these claims fall for the same reasons discussed above with respect to claims 1-15.

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In summary, we have sustained the examiner's rejection with respect to each of the claims on appeal. Therefore, the decision of the examiner rejecting claims 1-20 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

Jerry Smith
JERRY SMITH

JERRY SMITH
Administrative Patent Judge

Joseph E. Buccia

JOSEPH F. RUGGIERO
Administrative Patent Judge

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